

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

Wisconsin Color Press, Inc.  
Milwaukee, Wisconsin

Proceedings Pursuant to  
Section 113(a)(1) of the  
Clean Air Act,  
42 U.S.C. § 7413(a)(1)

**NOTICE OF VIOLATION**

EPA-5-99-WI-20

**NOTICE OF VIOLATION**

The Administrator of the United States Environmental Protection Agency (U.S. EPA), by authority duly delegated to the undersigned, is issuing this Notice of Violation pursuant to Section 113(a)(1) of the Clean Air Act. U.S. EPA hereby notifies the State of Wisconsin and Wisconsin Color Press, Inc., that U.S. EPA finds that Wisconsin Color Press, Inc., located at 5400 W. Good Hope Road, Milwaukee, Wisconsin, is in violation of the Wisconsin State Implementation Plan (SIP), as follows:

**Statutory and Regulatory Background**

1. U.S. EPA approved Wisconsin Rule NR 422.142 - Control of Organic Compound Emissions from Lithographic Printing Operations as part of the federally enforceable SIP for the State of Wisconsin effective June 10, 1996. 61 Fed. Reg. 15706 (April 9, 1996).
2. Wisconsin Rule NR 422.142(5)(a), states "the owner or operator of a heatset web lithographic printing press shall demonstrate compliance with the appropriate destruction efficiency or emission rate in sub. (2)(a) by performing compliance emission tests on each control device. The initial tests shall be performed by the compliance deadline in sub. (6)(a){July 1, 1996}."
3. Wisconsin Rule NR 422.142(6)(b)1., states "the owner or operator of a lithographic printing press which is installed on or before July 1, 1996 shall submit to the department no later than September 1, 1996 written certification that the press is in compliance with the applicable requirements of subs. (2) and (3) and shall provide a demonstration of compliance in accordance with subs. (4) and (5). Rule NR 422.142(6)(b)1. further states in summary that a

compliance emission test performed no more than 2 years prior to the compliance deadline is an acceptable demonstration of compliance in accordance with NR 422.142(5).

#### **Factual Background**

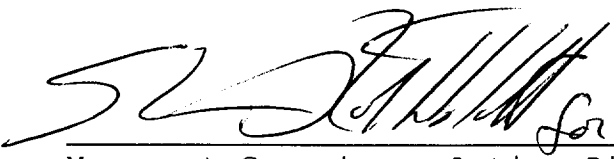
4. Wisconsin Color Press, Inc., owns and operates four headset web lithographic printing presses, designated as P91, P92, P93, and P94, located at 5400 W. Good Hope Road, Milwaukee, Wisconsin, which were installed before July 1, 1996.
5. Emissions from the headset web lithographic printing presses are subject to the organic compound emissions limitations, testing and certification requirements for Lithographic Printing operations as set forth in the Wisconsin SIP at Wisconsin Rule NO 422.142.

#### **Findings of Violation**

6. Wisconsin Color Press did not demonstrate compliance with the appropriate destruction efficiency or emission rate in NR 422.142(2)(a), by performing compliance emission tests on the control devices on Presses P91, P92, P93 or P94, by the compliance deadline of July 1, 1996 as required by NR 422.142(5)(a).
7. Wisconsin Color Press did not submit to the department on or before September 1, 1996, a certification that Presses P91, P92, P93 or P94 were in compliance with the applicable requirements of NR 422.142 subs. (2) and (3), nor did it provide a demonstration of compliance in accordance with subs. (4) and (5), as required by NR 422.152(6)(b)1. The most recent destruction efficiency test was performed on Press 94 on March 8, 1993, and is not an acceptable demonstration of compliance because this test was performed more than 2 years prior to the compliance deadline.

Date

5/26/99

  
Margaret Guerriero, Acting Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Shanee Rucker, certify that I sent a Notice of Violation,  
issued pursuant to the Clean Air Act, by Certified Mail, Return  
Receipt Requested, to:

Frederick C. Cappetta, CEO  
Wisconsin Color Press, Inc.  
Subsidiary of Midcontinent Printing, Inc.  
5400 W. Good Hope Road  
Milwaukee, Wisconsin 53223

I also certify that I sent copies of the Notice of Violation  
by first class mail to:

Lloyd Eagan, Director  
Wisconsin Department of Natural Resources  
Bureau of Air Management  
101 S. Webster Street  
P.O. Box 7921  
Madison, Wisconsin 53707

Lakshmi Sridharan, Regional Air Leader  
Wisconsin Department of Natural Resources  
Southeast Region  
2300 North Dr. Martin Luther King Jr. Drive  
P.O. Box 12436  
Milwaukee, Wisconsin 53212

**CERTIFIED MAIL RECEIPT NUMBER:** P 140 777 002

on the 28 day of may, 1999.

Shanee Rucker

Shanee Rucker, Secretary  
AECAS (MI/WI)